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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 DAVID STEPHEN MIDDLETON,

Case No. 3:09-cv-00638-KJD-WGC

9 Petitioner,

10 v.

ORDER

11 TIMOTHY FILSON, et al.,

12 Respondents.
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14 On January 18, 2018, petitioner filed a motion to continue stay and abeyance. ECF
15 No. 139. Petitioner asks the court to continue the stay of this habeas corpus proceeding
16 pending his exhaustion of the claims contained in a state court post-conviction petition
17 filed on August 18, 2014. Respondents have filed a response to the motion indicating that
18 they do not oppose it. ECF No. 146.

19 IT IS THEREFORE ORDERED that petitioner's motion to continue stay and
20 abeyance (ECF No. 139) is GRANTED. The stay in this proceeding shall remain in effect
21 subject to the conditions set forth in this court's order of September 19, 2011 (ECF No.
22 115).

23 DATED THIS 29 day of March, 2018.

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26 KENT J. DAWSON
27 UNITED STATES DISTRICT JUDGE
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